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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,591	12/09/2003	Lowell L. Winger	03-0970 1496.00331	3904
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LSI CORPORATION 1621 BARBER LANE MS: D-106 MILPITAS, CA 95035			EXAMINER WONG, ALLEN C	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 01/28/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/731,591	Applicant(s) WINGER, LOWELL L.	
	Examiner Allen Wong	Art Unit 2621	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 December 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-20.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.


Allen Wong
Primary Examiner
Art Unit 2621

Continuation of 11. does NOT place the application in condition for allowance because: although applicant's points are understood, all of the broad limitations of the claims are met in the previous Office Action. Regarding line 14 on page 10 to line 1 on page 11 of applicant's remarks, applicant asserts that Joch does not disclose or suggest changing the tag of the first picture parameter information set from active to inactive and tagging the second picture parameter information set as active in response to a reference to the second identification value in the bitstream. The examiner respectfully disagrees. Joch's column 9, lines 55-58 states that transmission of the offsets can be disabled, depending on the flag of the picture parameter set 31, for adjusting or changing the tag or flag of the first picture parameter set from the status of active to inactive or disabled status, and that the second picture parameter information set can be activated corresponding to the flag, as previously disclosed, in column 9, lines 24-33, wherein there is a corresponding identification value in the second picture parameter set to the unique ID number "M". Thus, Joch discloses changing the tag of the first picture parameter information set from active to inactive and tagging the second picture parameter information set as active in response to a reference to the second identification value in the bitstream. Regarding lines 5-12 on page 12 of applicant's remarks, applicant states that Joch does not disclose or suggest changing the tag of the first picture parameter information set from active to inactive and tagging the second picture parameter information set as active in response to a reference to the second identification value in the bitstream. The examiner respectfully disagrees. Joch's column 9, lines 55-58 states that transmission of the offsets can be disabled, depending on the flag of the picture parameter set 31, for adjusting or changing the tag or flag of the first picture parameter set from the status of active to inactive or disabled status, and that the second picture parameter information set can be activated corresponding to the flag, as previously disclosed, in column 9, lines 24-33, wherein there is a corresponding identification value in the second picture parameter set to the unique ID number "M". Thus, Joch discloses changing the tag of the first picture parameter information set from active to inactive and tagging the second picture parameter information set as active in response to a reference to the second identification value in the bitstream. Further, in line 22 on page 12 to line 1 on page 13 of applicant's remarks, applicant states that Joch does not disclose the term "deactivate", "deactivation" or "inactive". The examiner respectfully disagrees. There can be many terms that can imply, deactivate, deactivation or inactive, like the term "off" or "disabled", etc. Also, in column 9, lines 55-58, Joch uses the term "disabled" for disclosing the disablement of the transmission of offsets data that depend on the flag of the picture parameter set. Thus, Joch discloses changing the tag of the first picture parameter information set from active to inactive and tagging the second picture parameter information set as active in response to a reference to the second identification value in the bitstream. Regarding lines 18-19 on page 13 of applicant's remarks, applicant asserts that Joch appears to be silent on the activation and re-activation of the picture parameter sets 31. The examiner respectfully disagrees. In column 9, line 55 to column 10, line 3, Joch discloses that the picture parameter sets can be chosen by the encoder or set at the time of the system setup, thereby permitting the deactivation and re-activation of the picture parameter information sets by user-initiated for decoding image data or automated initiating for decoding image data, or user-initiated/automated initiation for not decoding image data. Regarding the bottom of page 13 to page 14, applicant asserts that deactivation and re-activation is not disclosed. The examiner respectfully disagrees. In column 9, line 55 to column 10, line 3, Joch discloses that the picture parameter sets can be chosen by the encoder or set at the time of the system setup, thereby permitting the deactivation and re-activation of the picture parameter information sets by user-initiated for decoding image data or automated initiating for decoding image data, or user-initiated/automated initiation for not decoding image data. Dependent claims 6, 9 and 16 are rejected for similar reasons as claims 5 and 15. Claims 2-6 and 9-16 are rejected for similar reasons as stated in the above and in the previous Office Action. Regarding page 15 of applicant's remarks, applicant states that claims 7, 8 and 17-20 are patentable for similar reasons as claims 1 or 11. The examiner respectfully disagrees. Claims 7, 8 and 17-20 are rejected for similar reasons as stated above for claims 1 and 11, and in the previous Office Action.